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STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER KOLETOWO, RASHEEDAT	
			ART UNIT 2609	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/720,679

Applicant(s)

SCHAADÉ, STEPHAN

Examiner

Rasheedat O. Koletowo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on November 25, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☒ Claim(s) 11 and 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 November 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date November 25, 2003.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This is in response to the application filed on November 25<sup>th</sup>, 2003, where applicant has filed application No. 10/720,679 claiming foreign priority from a foreign application filed on November 25<sup>th</sup>, 2002. The following Office Action is based on the application filed on November 25<sup>th</sup>, 2002 in which claims 1-21 and figures 1-2 are presented for examination.

#### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Information Disclosure Statement***

2. The information disclosure statement filed November 25<sup>th</sup>, 2003 complies with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. It has been placed in the application file, and the information referred to therein has been considered as to the merits.

#### ***Status of Claims***

Claims 1 to 21 are pending, of which claims 1 and 20 are in independent form.

#### ***Drawings***

3. The drawings are objected to because Figure 2 lacks a descriptive legend for the acronym: TIn. Corrected drawing sheets in compliance with 37 CFR

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1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

In addition to Replacement Sheets containing the corrected drawing figure(s), applicant is required to submit a marked-up copy of each Replacement Sheet including annotations indicating the changes made to the previous version. The marked-up copy must be clearly labeled as "Annotated Sheets" and must be presented in the amendment or remarks section that explains the change(s) to the drawings. See 37 CFR 1.121(d). Failure to timely submit the proposed drawing and marked-up copy will result in the abandonment of the application.

### ***Specification***

4. The Background, Summary and Detailed description of the invention in the disclosure is objected to because of the following informalities: The acronyms IP, TCP/IP and VIP should be changed to Internet Protocol (IP) and Transmission Control Protocol/Internet Protocol (TCP/IP) respectively. More so, every instance of the aforementioned acronyms should be changed in the specification.

Appropriate correction is required. See MPEP § 608.01(b) or CFR 1.71.

### ***Claim Objections***

5. Claim 11 is objected to under 37 CFR 1.75(c), for failing to further limit the subject matter of claim 1. Claim 11 fails to further limit claim 1 by failing to add another limitation to the parent claim (1). In particular, claim 11 recites, "different standardized terminal profiles are stored in different communication devices". According to claim 1, in a instance where a plurality of communication devices exist, it is possible that any given communication device in the communication system can serve as either a home communication device or an alternate communication device to any particular communication terminal when a fault occurs in the home device. Consequently, it follows that different communication device will store different terminal profiles when utilized as an alternate device. Thus claim 11 does not limit claim 1. Applicant is required to cancel the claim(s), or amend the claim(s), or rewrite the claim(s) to further limit the subject matter claimed in the previous claim 1.

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6. Claim 21 is objected to because of the following informalities: The acronym: IP should be changed to Internet Protocol.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Regarding claim 2, the phrase “address information assigned,” recited in line 7, renders the claim indefinite because there is insufficient antecedent basis for this limitation. It is unclear whether the applicant is referring to a previously mentioned “first address” or “second address”.

Regarding claims 5, the phrase “when” in line 2, renders the claim indefinite because it is unclear whether or not the limitation(s) following the phrase is bound to occur since there is a possibility for the terminal profile not being adapted to the communication terminal.

Claim 5 also recites the limitation “the duration” in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 14 additionally recites the limitation “the duration” in line 4. There is insufficient antecedent basis for this limitation in the claim either.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-8** and 10-17,19 are rejected under 35 U.S.C. 102(b) as being anticipated by Delis et al. (US 2002/6,119,001 A), hereinafter Delis.

Regarding claim 1, Delis discloses **Figs. 1, 2A and 3** of “a method for storing a first address [**mobile identification number (MIN) associated with the home location register (HLR)**, see col. 2-3, lines 63-73] in each communication terminal [**where HLR is connected directly to a switching node 12(1) or connected via a base station controller 28**, see fig. 1] for a connection to a respective home communication device [**the switching node is further connected to a base station**, see col. 3, lines 81-82 for a connection to a base station col. 3, lines 83-84 and fig 1];

storing a second address [**temporary subscriber number (TSNB) 214 assigned**, see col. 3, lines 75-77 and fig. 3] in each communication terminal [**BSC/SN**, see fig. 3] for a connection to an alternate communication device [**establishing a defined and connected roaming mobile station**, see col. 3,

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**lines 77-78];**

storing in the alternate communication device **[mobile station (receives a forwarded message from)]** a standardized terminal profile **[default subscriber profile transmitted to the visitor location register (VLR) for storage with message forwarded to the mobile station, see col. 5, lines 99-105];** and

adapting the standardized terminal profile **[default subscriber profile transmitted to the VLR, see col. 6, lines 57-60]** to a particular communication terminal **[with confirmation of service to the switching node, see col. 6, lines 60-61]**, through the second address **[see fig. 5 and col. 6, lines 49-54]**, such that the particular communication terminal can connect to the alternate communication device **[see fig. 5]**.

In claim 2, Delis discloses in **[col. 6, lines 12-15]** a call number assigned by the home communication device to the particular communication terminal,

address information assigned to the particular communication terminal in the communication network, and

asylum information to adapt the standardized terminal profile **[col. 6, lines 54-61 where the downloaded subscriber profile is adapted to the VLR]**.

In claim 3, Delis discloses in **[col. 6, line 55-61 and see fig 5 illustrating the terminal data is part of the profile sent by the home location register 342 to the visitor location register 344]**, wherein the terminal relevant data is sent by the particular communication terminal.



In claims 4 and 13, the standardized terminal profile manages a plurality of restricted call numbers that can be assigned to the communication terminals is disclosed by Delis in **(see col. 6, lines 10-16 & lines 18-22)**.

In claim 5, when the standardized terminal profile is adapted to the particular communication terminal, through the second address **[The default subscriber profile for the mobile station is then retrieved from the home location register, and delivered to the visitor location register see col. 6, lines 57-60]**, a temporary call number is assigned to the particular communication terminal by the alternate device for the duration of the connection **[The activation procedure includes as one action, the selection of a temporary subscriber number for the mobile station, see col. 5, lines 77-80]**.

In claims 6 and 15, for a connection initialized by the particular communication terminal, a home call number used for communication between the home communication device and the particular communication terminal is transmitted to alternate communication device by the particular communication terminal **[call origination and call delivery requests made to the home location register relating to the mobile station will be recognized, see col. 5, lines 97-108 and fig. 3]**, and

the home call number is used instead of the temporary allocated call

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number **[the subscriber connects with the assignment of a roaming directory number in the home location register, see col. 1, lines 12-15].**

In claims 7 and 16, for a VIP subscriber assigned to a communication terminal, a call number of the alternate communication device is also assigned to the VIP subscriber for the duration of the connection **[if the roamer mobile station should thereafter make another registration, or if a traffic event relating to the mobile station should occur, the mobile station is defined in the network with a service profile and a temporary subscriber call number, see col. 5, lines 109-113].**

In claims 8 and 17, during a connection setup with the particular communication terminal, a call is diverted from the home communication device to the alternate communication device.

In claims 10 and 19, different authorizations can be assigned to different subscribers assigned to the communication terminal **[subsequent registrations by the roamer mobile station through a different switching node will be recognized and service will be granted, see col. 5, lines 119-121].**

Claim 11, wherein "different standardized terminal profiles are stored in different communication devices" is substantially similar to an element in claim 1 is therefore rejected using the same rational given in claim 1.

In claim 12, the standardized terminal profile **[default subscriber profile transmitted to the VLR, see col. 6, lines 57-60]** is stored in the alternate communication device together with terminal specific data **[stores information relating to the mobile stations and their subscriptions comprising location information and service profile information; all stored and transmitted to VLR, see col. 3 lines 70-72].**

In claim 14, Delis discloses a method (similar to claim 1) wherein, the standardized terminal profile is adapted to the particular communication terminal **[default subscriber profile transmitted to the VLR, see col. 6, lines 57-60]**, through the second address **[see fig. 5 and col. 6, lines 49-54]**, a temporary call number is assigned to the particular communication terminal by the alternate communication device for the duration of the connection is anticipated by the teachings of Delis, also mentioned in claim 5 **[The activation procedure includes as one action, the selection of a temporary subscriber number for the mobile station, see col. 5, lines 77-80]**

### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which

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said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 9,12,18, 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art in view of Matsuhira et al (US 7,075,932 B2), herein Matsuhira.

Regarding claim 1, Fig. 1 of the present application (Related Art) teaches a method of connecting a plurality of communication terminals and a plurality of communication devices through a communication network. The method of storing a first address in each communication terminal for a connection to a respective home communication device is disclosed in **[the address of the first gatekeeper G-A is stored for a connection with the first (home) gatekeeper G-A of the first communication terminal KE1 in the first communication terminal KE1, see paragraph 9, lines 1-4 of the present application].**

The method of storing a second address in each communication terminal for a connection to an alternate communication device is disclosed in **[the address of an alternate gatekeeper is also stored in the first communication terminal KE1, see paragraph 9, lines 6-8 of the present application].**

The disclosed prior art (Fig. 1 of the present application) fails to disclose a methodology of storing in the alternate communication device, a standardized terminal profile and

adapting the standardized terminal profile to a particular communication terminal, through the second address, such that the particular communication

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terminal can connect to the alternate communication device. Matsuhira (US 7,075,932), on the other hand, discloses **[a communication device for selecting a route and storing second routing information of packets based on a dynamic routing protocol, see col. 2, lines 28-29]**. At the time the invention was made, it would have been obvious to a person in ordinary skill of the art to modify the teachings of the prior art admitted by the applicant wherein the alternate destination address of a communication device in Fig. 1 in applicant admitted art would have incorporated pieces of address mask information in order to make searchable a network unit of the destination or a predetermined aggregated unit via dynamic routing. The motivation being to provide a communication device capable of securing reachability of packets if failure occurs in a particular route (see Matsuhira col. 2, lines 18-22).

Regarding claim 2, Fig 1 of the disclosed related art teaches of a method wherein when initiating a connection between the terminal and the alternated device terminal relevant data for the particular communication terminal is sent to alternate communication device. The terminal relevant data comprising of a call number assigned by a home communication device to the particular communication terminal **[Terminal specific data is stored in the gatekeeper by means of control of setup connection. The terminal-specific data then includes a call number assigned to the terminal; see paragraph 5, and lines 9-13 of the present application]**,

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The terminal relevant data comprising address information assigned to the particular communication terminal in the communication network is anticipated by [the address is stored in communication terminal for a connection, see paragraph 10, lines 1-2. Also see fig 1, where terminals KE1, KE2 and KE3 comprises of addresses assigned to particular terminals].

The admitted prior art fails to disclose the terminal relevant data comprising asylum information to adapt the standardized terminal profile. Matsuhira (US 7,075,932) however, discloses **[a global destination address inputted in the dynamic routing table, see col. 13, sixth embodiment]**. One of ordinary skill in the art would have been motivated to mask the asylum information to the standard profile in order to make searchable a network unit of the destination or a predetermined aggregated unit.

Regarding claim 3, the method wherein the terminal relevant data is sent by the particular communication terminal is taught by Matsuhira (US 7,075,932) **[the switch forwards the inputted packet (with terminal specific data, see Fig. 2 and col. 8, lines 25-31) to a processing unit accommodating a link corresponding to the next hop information; connection of the communication device to other communication devices are established. See col. 4-5, lines 64-69]**.

Regarding claim 4, admitted art discloses [a terminal profile with call number assigned to the communication terminal] and Matsuhira (US 7,075,932)

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discloses a method wherein the standardized terminal profile manages a plurality of restricted call numbers that can be assigned to the communication terminals as **[search keys containing destination address; global and unique addresses having values different from each other. See fig 6 and col. 13, lines 30-38]**. Based the teachings of Matsuhira (US 7,075,932), at the time of the invention, it would have been obvious to a person in ordinary skill in the art to modify the routing table of Matsuhira (US 7,075,932) by adding additional or a plurality of routing information for next hop in case of failure in preceding connection.

Regarding claims 9 and 18, a method wherein the standardized terminal profile manages authorizations that can be assigned to a communication terminal is anticipated by admitted prior art – in the background of invention **[the terminal profile includes a subscriber assigned to the terminal or authorizations assigned to one of the terminals, see paragraph 5, lines 13-15]**

Regarding claim 12, a method also stated in claim 1, wherein the standardized terminal profile is stored in the alternated communication device together with terminal specific data, is taught by the admitted prior art **(see col. 2, lines 28-29)**. At the time invention was made, it would have been obvious to a person in ordinary skill in the art to modify the table of Matsuhira (US 7,075,932) by combining and storing additional functionalities or features of a given device in the network.

Regarding claim 20, a system comprising a plurality of communication devices; a plurality of communication terminals, a communication network connecting the communication terminals to the communication devices is disclosed in admitted related art (see Fig. 1).

A system comprising a memory device arranged in each of the communication terminals to store:

a first address for a connection to a home communication device assigned to the communication terminal is anticipated by **[the address of the first gatekeeper G-A is stored for a connection in the first communication terminal KE1, see paragraph 9, lines 1-4];** and

a second address for a connection to an alternate communication device is taught by **[the address of an alternate gatekeeper is also stored in the first communication terminal KE1, see paragraph 9, lines 6-8]**, however the disclosed related art does not disclose at least one standardized terminal profile included in the terminal-relevant data in the alternate device, the standard terminal profile being assignable to different communication terminals through the second address. Matsuhira (US 7,075,932) teaches of a **[Terminal specific data is stored in the gatekeeper by means of control of setup connection. The terminal-specific data then includes a call number assigned to the terminal, see paragraph 5, lines 9-13]**, and also discloses

**[a communication device for selecting a route comprising a dynamic routing table storing routing information of packets based on a dynamic**



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**routing protocol, see col. 2, lines 28-29].** Therefore, one in the ordinary skill in art would have been motivated to incorporate the standardized terminal profile as part of the terminal-relevant data, whereby the information is stored globally via dynamic routing tables.

Regarding claim 21, the admitted related art teaches of a system, wherein a communication system,

the communication network is an IP-based computer network, and the communication terminals are IP-enabled terminals. By disclosing in Fig 1, marked clearly IP-based network connecting terminals to devices where the terminals are also IP-enabled, see paragraph 4, lines 6. Thus, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of the admitted related art to disclose an IP-enabled system. One is motivated as in such order to process communication multiple formats and systems.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hariguchi et al. (US 2002/0080798 A1) discloses routing table circuit to store a plurality of routing table arrays, Kodialam et al. (US 2002/0067693 A1) discloses dynamic backup routing of a network path, Whitmore et al. (US 2002/0122394 A1) discloses data routing over multiple routes, Langille et al (US 2002/0097730 A1) discloses virtual routers corresponding to different virtual private routed networks.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasheedat O. Koletowo whose telephone number is 571-272-9824. The examiner can normally be reached on Monday-Thursday, 7:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frantz Coby can be reached on 571-272-4017. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Rasheedat Koletowo  
R.K./r.k.



May 17, 2007



FRANTZ COBY  
PRIMARY EXAMINER